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APPLICATION NO. 15/757,633	FILING DATE 11/15/96	FIRST NAMED INVENTOR SAMARITANI	ATTORNEY DOCKET NO. P/42-88
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NEW YORK NY 10036-8403

EXAMINER FITZGERALD, D
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ART UNIT 1645	PAPER NUMBER 18
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DATE MAILED: 06/30/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**



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08/737,633

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT | PAPER NUMBER

18

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

David Fitzgerald (PTO)

Charles Achkar (agent)

Date of interview: **28 June 1999** Type: ☒ Telephone/fax ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative)

Exhibit shown or demonstration conducted: ☐ Yes ☒ No Attachment(s): ☐ Yes ☒ No

If yes for either, brief description:

Agreement ☐ was reached with respect to some or all of the claims in question ☒ was not reached.

Claims discussed: **1, 4** Identification of prior art discussed: **Hanisch (U.S. Patent No. 5,643,566)**

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The examiner contacted applicant's representative because he found the arguments in the Appeal Brief persuasive to a certain extent and would not maintain the rejection under § 103 as it currently stands. He noted that another pertinent reference, Hanisch '566, had issued after the first action in this case was written and indicated that the claims could be allowed if the limitation of claim 4 were incorporated into claim 1. After consulting his clients, Mr. Achkar advised that applicant did not wish to so limit the claims.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 enumerated in M.P.E.P. § 713.04). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections, and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.